

**REMARKS**

Claims 1-20 were originally filed in the present application.

Claims 1-20 are pending in the present application.

Claims 1-4 and 6-20 were rejected.

Claim 5 was objected to.

No claims have been allowed.

Claims 3 and 5 are amended herein

Claims 1-20 remain in the present application.

Reconsideration of the claims is respectfully requested.

The Applicants have amended Claim 3 to correct a typographical error found by the Applicants, in order to provide correct antecedent basis.

In the June 7, 2005 Office Action, the Examiner objected to Claim 5 as being a substantial duplicate of Claim 4. In response, the Applicants have amended Claim 5 to correct a typographical error. The word “periodically” has been changed to “aperiodically.” The Applicants respectfully request the withdrawal of the objection to Claim 5.

In the June 7, 2005 Office Action, the Examiner rejected Claims 1-4 and 6-20 under 35 U.S.C. §102(a) as being anticipated by U.S. Patent No. 6,266,013 to Stilip, *et al.* (hereafter “*Stilip*”). The Applicants respectfully traverse the rejection.

The Applicants respectfully submit that the Examiner has misunderstood the teaching of the *Stilip* reference. *Stilip* describes a Wireless Location System (WLS) that operates as an overlay to a

wireless communication system. *Stilip*, col. 6, lines 48-52. The WLS “involves minimal changes to cell sites and no changes at all to standard [mobile] wireless transmitters.” *Stilip*, col. 6, line 65, through col. 7, line 2. The WLS uses only its own specialized receivers at cell sites or other receiving locations. *Stilip*, col. 7, lines 5-7. The WLS includes, among other subsystems, Signal Collection Systems (SCSs) and Time-difference-of-arrival Location Processors (TLPs). *Stilip*, col. 7, lines 10-14. An SCS is installed at a wireless carrier’s cell site, and operates in parallel with a base station. *Stilip*, col. 7, lines 16-19. A TLP manages a network of SCSs. *Stilip*, col. 7, lines 19-22. The SCSs and the TLPs cooperate to determine the locations of mobile wireless transmitters. *Stilip*, col. 7, lines 22-24.

Thus, the clear teaching of the *Stilip* reference is a system of land-based receivers and data processors that determines the locations of mobile stations by passively monitoring their transmissions. As such, the *Stilip* reference can have no relevance to Claims 1-8, which recite an apparatus for use in a mobile station. This being the case, Claims 1-8 are patentable over the *Stilip* reference.

Furthermore, the Applicants draw the Examiner’s attention to independent Claim 9, which recites the unique and non-obvious limitations emphasized below:

9. For use in a network server, an apparatus for transferring mobile station geographic location information associated with said mobile station to an authorized client access device, said apparatus comprising:

memory that comprises mobile station current position information and at least one encryption/decryption key; and

a data processor, coupled to the memory, that is capable of storing the geographic location information in the memory, the data processor additionally capable of establishing a secure connection with the mobile station, using the at least one

encryption/decryption key, over the wireless network over which the geographic location information is transmitted. (*Emphasis added*)

The Applicants respectfully assert that the above-emphasized limitations are not disclosed, suggested or even hinted at in the *Stilip* reference.

The Examiner's rejection of Claim 9 states, in its entirety, "Stilip et al. disclose memory that comprises mobile station current position information and a controller capable of determining the geographic location information (fig. 2F)." *Office Action dated June 7, 2005, page 2, fourth paragraph.* Figure 2F and its associated description at column 19, line 65, through column 21, line 8 show the Control & Communication Module of the *Stilip* SCS. The Applicants note that FIGURE 2F merely depicts a CPU, memory, a T1/E1 communications chip, data buffers, and control interface circuitry. The description discusses a remote reset capability (*Col. 20, lines 5-21*), an ability to monitor/diagnose the SCS itself (*Col. 20, lines 22-37*), and features of its communications with the TLP (*Col. 20, line 38, through col. 21, line 8*). Notably absent is any description of establishing any type of connection with a mobile station over the wireless network, much less a secure connection using an encryption/decryption key, as recited in Claim 9.

As such, independent Claim 9 contains unique and non-obvious limitation that are not disclosed, suggested or even hinted at the *Stilip* reference. This being the case, Claim 9 is patentable over the cited prior art reference. Also, dependent Claims 10-14 depend from Claim 9 and contain all of the unique and non-obvious limitations recited in Claim 9. Thus, Claims 10-14 also are patentable over the cited prior art reference.

Finally, the Applicants draw the Examiner's attention to independent Claim 15, which recites the unique and non-obvious limitations emphasized below:

15. For use in a network server that is capable of communicating with a mobile station via a wireless network, a method of distributing mobile station geographic location information, the method comprising the steps of:  
determining the mobile station geographic location information;  
storing the mobile station geographic location information in a database in memory;  
receiving an access request from a client access device for the geographic location information;  
authenticating the access request for the geographic location information; and  
transmitting the geographic location information to the client access device in response to an authentic access request. (*Emphasis added*)

The Applicants respectfully assert that the above-emphasized limitations are not disclosed, suggested or even hinted at in the *Stilip* reference.

The Examiner's rejection of Claim 15 states, again in its entirety, "Stilip discloses these limitations (fig. 2C-1)." *Office Action dated June 7, 2005, page 2, fourth paragraph.* Figure 2C-1 and its description at column 13, line 38, through column 14, line 65 show the steps followed by the *Stilip* SCS in determining the location of a mobile wireless transmitter. There is no description whatsoever of receiving an access request from a client access device, authenticating the request, or transmitting mobile station geographic location information in response to the request, as recited in Claim 15.

Therefore, independent Claim 15 contains unique and non-obvious limitation that are not disclosed, suggested or even hinted at the *Stilip* reference. This being the case, Claim 15 is patentable over the cited prior art reference. Also, dependent Claims 16-20 depend from Claim 15

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and contain all of the unique and non-obvious limitations recited in Claim 15. Thus, Claims 16-20 also are patentable over the cited prior art reference.

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**SUMMARY**

For the reasons given above, the Applicant respectfully requests reconsideration and allowance of pending claims and that this Application be passed to issue. If any outstanding issues remain, or if the Examiner has any further suggestions for expediting allowance of this Application, the Applicant respectfully invites the Examiner to contact the undersigned at the telephone number indicated below or at *jmockler@davismunck.com*.

The Commissioner is hereby authorized to charge any additional fees connected with this communication or credit any overpayment to Deposit Account No. 50-0208.

Respectfully submitted,

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